

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013**

**SENATE BILL 229
RATIFIED BILL**

AN ACT TO AUTHORIZE THE TOWN OF OCEAN ISLE BEACH TO CREATE A SEA TURTLE SANCTUARY AND TO EXCHANGE A PARCEL OF REAL PROPERTY FOR SERVICES.

The General Assembly of North Carolina enacts:

SECTION 1. The Town of Ocean Isle Beach may create and establish a sea turtle sanctuary within the areas of the town limits above the mean low watermark, to include the foreshore. Any ordinance adopted by the town to regulate activities within the sea turtle sanctuary which may or will disturb or destroy a sea turtle, a sea turtle nest, or sea turtle eggs must be consistent with the ordinance powers found in G.S. 160A-174, G.S. 160A-308, and any other law. The ordinance adopted by the town may by cross-reference incorporate the criminal statutes regarding the taking of sea turtles in G.S. 113-189 and G.S. 113-337. It shall be unlawful for any person within the sea turtle sanctuary to disturb or destroy a sea turtle, a sea turtle nest, or sea turtle eggs in violation of an ordinance adopted by the Town of Ocean Isle Beach.

SECTION 2.(a) G.S. 160A-266(a) reads as rewritten:

"(a) Subject to the limitations prescribed in subsection (b) of this section, and according to the procedures prescribed in this Article, a city may dispose of real or personal property belonging to the city by:

- (1) Private negotiation and sale;
- (2) Advertisement for sealed bids;
- (3) Negotiated offer, advertisement, and upset bid;
- (4) Public auction; or
- (5) ~~Exchange.~~ Exchange for other real or personal property or for services."

SECTION 2.(b) G.S. 160A-271 reads as rewritten:

"§ 160A-271. Exchange of property.

A city may exchange any real or personal property belonging to the city for other real or personal property by private ~~negotiation~~ negotiation, or for services by private negotiation, if the city receives a full and fair consideration in exchange for its property. A city may also exchange facilities of a city-owned enterprise for like facilities located within or outside the corporate limits. Property shall be exchanged only pursuant to a resolution authorizing the exchange adopted at a regular meeting of the council upon 10 days' public notice. Notice shall be given by publication describing the properties to be exchanged, stating the value of the properties and other consideration changing hands, and announcing the council's intent to authorize the exchange at its next regular meeting."

SECTION 3. This act applies to the Town of Ocean Isle Beach only.



SECTION 4. Section 1 of this act is effective when it becomes law. Section 2 of this act is effective when it becomes law and applies only to land used for the construction and exchange of an Alcoholic Beverage Control building. Section 2 of this act expires on July 1, 2018.

In the General Assembly read three times and ratified this the 18th day of July, 2013.

s/ Daniel J. Forest
President of the Senate

s/ Thom Tillis
Speaker of the House of Representatives